

EXHIBIT C

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GOOGLE INC.

15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA**

17 **SAN FRANCISCO DIVISION**

18 ORACLE AMERICA, INC.

Case No. 3:10-cv-03561-WHA

20 Plaintiff,

Honorable Judge William Alsup

21 v.

22 GOOGLE INC.

**GOOGLE'S OBJECTIONS IN RESPONSE
TO ORACLE'S MARCH 10, 2011
NOTICE OF DEPOSITION OF GOOGLE
PURSUANT TO FED. R. CIV. P. 30(B)(6)**

23 Defendant.

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1 Defendant Google Inc. (“Google”), through its attorneys, hereby serves the following
 2 objections in response to “Plaintiff’s Notice of Deposition of Defendant Google, Inc. Pursuant to
 3 Fed. R. Civ. P. 30(b)(6)” (the “Notice”) served by Oracle America, Inc. (“Oracle”) on March 10,
 4 2011.

5 Google’s objections to the Notice or the topics set forth therein shall not constitute an
 6 admission that any answers to any questions posed at a deposition taken pursuant to the Notice
 7 are admissible as evidence in any trial or other proceeding. Google maintains its right to object
 8 on any applicable grounds, at any time, to the specific questions posed at any such deposition
 9 and to the admission as evidence in any trial or other proceeding of any testimony given in any
 10 such deposition.

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OBJECTIONS

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TOPIC NO. 1

14 Any discussions between Google, on the one hand, and Sun or Oracle, on the other hand,
 15 concerning Android or the development or licensing of platform technology for mobile devices
 16 at any time between 2005 and the filing of this lawsuit, including Google’s evaluation of any
 17 financial or other terms for such development or licensing proposed to or by Google.

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OBJECTIONS IN RESPONSE TO TOPIC NO. 1

19 Google objects to Topic No. 1 on the grounds that the Topic is overbroad, unduly
 20 burdensome and seeks, at least in part, information that is neither relevant to the parties’ claims
 21 or defenses nor reasonably calculated to lead to the discovery of admissible evidence. This
 22 Topic requests testimony regarding, for example, “any discussions . . . concerning Android . . .
 23 between 2005 and the filing of this lawsuit” as well as “any discussions . . . concerning . . . the
 24 development . . . of platform technology for mobile devices” generally, without reference to
 25 Android. This Topic is therefore overbroad, especially given that only a small portion of
 26 Android, and no other technology for mobile devices, is at issue in this action. Google further
 27 objects to this Topic as vague and ambiguous in part, as to the undefined terms “platform
 28 technology for mobile devices” and “evaluation of any financial or other terms.” Google also

1 objects to the extent this Topic seeks testimony that is protected from disclosure by the attorney-
 2 client privilege, work product doctrine or any other applicable privilege or immunity. Google
 3 further objects to this Topic as overbroad in view of paragraph 23(a) of the Court's Supplemental
 4 Order to Order Setting Initial Case Management Conference in Civil Cases Before Judge
 5 William Alsup, filed herein on September 22, 2010 (the "Supplemental Order"), insofar as this
 6 Topic improperly combines multiple subject matters into a single Topic, namely (1) discussions
 7 between Google and Sun or Oracle, and (2) internal evaluation by Google of certain matters.

8 Subject to the foregoing objections and without waiver or limitation thereof, Google
 9 states that Google will make a witness available for deposition as its Rule 30(b)(6) designee in
 10 connection with any unobjectionable portions of this Topic at a mutually convenient time.
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12 **TOPIC NO. 2**

13 Google's revenues related to Android, including (i) the identity of each person with
 14 knowledge regarding such revenues, (ii) how Google accounts for Android-related revenues and
 15 expenses, (iii) all profits and losses, revenues, expenses, and costs associated with Android,
 16 including those associated with Android Market and advertising on Android-enabled devices,
 17 (iv) any financial projections relating to Android, including the bases for Eric Schmidt's
 18 statement that "Google is positioning itself to earn \$10 billion or more per year in the mobile
 19 device business, thanks to its Android operating system."

20 **OBJECTIONS IN RESPONSE TO TOPIC NO. 2**

21 Google objects to Topic No. 2 on the grounds that the Topic is overbroad, unduly
 22 burdensome and seeks, at least in part, information that is neither relevant to the parties' claims
 23 or defenses nor reasonably calculated to lead to the discovery of admissible evidence. This
 24 Topic requests testimony regarding, for example, "all profits and losses, revenues, expenses, and
 25 costs associated with Android." This Topic is therefore overbroad, especially given that only a
 26 small portion of Android is at issue in this action. Google further objects to this Topic as vague
 27 and ambiguous in part, as to the undefined term "Android-related revenues." Google also
 28 objects to the extent this Topic seeks testimony that is protected from disclosure by the attorney-

1 client privilege, work product doctrine or any other applicable privilege or immunity. Google
2 further objects to this Topic as overbroad in view of paragraph 23(a) of the Supplemental Order,
3 insofar as this Topic improperly combines multiple subject matters into a single Topic, namely
4 (1) identification of persons having knowledge regarding certain matters; (2) information
5 regarding past revenues, if any, derived from Android and related financial information; and (3)
6 future projections relating to Android.

7 Subject to the foregoing objections and without waiver or limitation thereof, Google
8 states that Google will make a witness available for deposition as its Rule 30(b)(6) designee in
9 connection with any unobjectionable portions of this Topic at a mutually convenient time.
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1 DATED: March 25, 2011

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ATTORNEYS FOR DEFENDANT
GOOGLE INC.

CERTIFICATE OF SERVICE

I hereby certify that on this day, March 25, 2011, I served a true and correct copy of GOOGLE'S OBJECTIONS IN RESPONSE TO ORACLE'S MARCH 10, 2011 NOTICE OF DEPOSITION OF GOOGLE PURSUANT TO FED. R. CIV. P. 30(b)(6) via e-mail on the following individuals:

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